

## FILING A COMPLAINT

A person who believes he or she has been illegally discriminated against can file a complaint, at no cost, by calling or visiting a THRC office. Complaint forms are also available on our website:

[www.state.tn.us/humanrights](http://www.state.tn.us/humanrights)

### CENTRAL OFFICE-NASHVILLE

530 Church Street, Ste. 305  
Nashville, TN 37243-0745  
Phone: (615) 741-5825  
Phone: (800) 251-3589  
Fax: (615) 253-1886

### CHATTANOOGA

540 McCallie Ave.  
4th Fl., West Wing  
Chattanooga, TN 37402  
Phone: (423) 634-6837  
Fax: (423) 634-6986

### KNOXVILLE

531 Henley St.  
Room 701  
Knoxville, TN 37902  
Phone: (865) 594-6500  
Phone: (800) 325-9664  
Fax: (865) 594-6178

### MEMPHIS

170 N. Main St.  
State Office Building  
2nd Floor  
Memphis, TN 38103  
Phone: (901) 543-7389  
Fax: (901) 543-6042

## MEDIATION

Mediation is strongly encouraged by the THRC staff after a complaint has been filed. Mediation is an informal negotiating process for settling disputes. The goal is to assist both parties in reaching a mutually acceptable resolution of the issue(s). It is a free service that is offered by the THRC; most importantly, it's voluntary and confidential.

## INVESTIGATION

If mediation is not successful or attempted, an investigation will ensue to determine whether there is evidence to support the claim that the law has been violated. If the investigation finds no reasonable cause to believe that a discriminatory act has occurred, the case is closed upon notification of both parties. If the investigation finds that there is reasonable cause, an attempt is made to eliminate the discriminatory practice by persuasion, conciliation or conference prior to instituting legal action.

## CONCILIATION

The THRC will attempt (through conference, conciliation and persuasion) to eliminate the discriminatory practice. Conciliation involves negotiating between both parties, the one who has been charged with discrimination and the person(s) who made the complaint. Conciliation talks can lead to a settlement, which can include monetary awards.

## LITIGATION/ ADMINISTRATIVE HEARING

After a reasonable cause determination has been rendered, the case moves to the litigation phase. THRC's staff endeavors to eradicate the discriminatory practices through conciliation.

In the event that there is no conciliation agreement, the THRC will conduct a hearing. The complainant, is welcome to hire an attorney to represent them in these proceedings or have a THRC attorney present their case at a hearing. Once the evidence is presented at the hearing, the case will either be dismissed or a final order will be issued.

## ENFORCEMENT

When the THRC determines that discrimination has occurred, the parties charged may be ordered to cease and desist from any further discrimination and to remedy past discrimination. A remedy can include a monetary award, policy change, employment reinstatement or accommodation in housing.

## THINGS TO REMEMBER...

- Complaints must be filed on a timely basis.
- Housing, employment and public accommodation complaints must be filed within 180 days of the most recent discriminatory action.
- Be prepared to present specific facts about the alleged discriminatory act.
- Provide copies of documents, if any, that support the charges made.
- Provide names and contact information of witness(es), if any.
- Keep copies of all records or documents that pertain to the complaint.
- Keep the THRC office updated on employment situations and changes of address or phone number.
- All complaints must be sworn to and signed.

# TENNESSEE HUMAN RIGHTS COMMISSION



530 Church Street, Suite 305  
Cornerstone Square Building  
Nashville, TN 37243-0745  
(615) 741-5825  
(800) 251-3589

[www.state.tn.us/humanrights](http://www.state.tn.us/humanrights)

## HOUSING

It is illegal to discriminate in the sale, rental, or financing of housing based on race, color, religion, national origin, sex, disability or familial status.

The law covers unlawful discrimination in the sale or rental of residential or commercial property. This applies to an owner or any other person engaging in a real estate transaction. The law applies to financial institutions, real estate brokers, builders, operators, developers, insurance agents, owners or managers of rental units, and individual owners who place their property on the real estate market by advertising or displaying a notice.

Tennessee's housing laws prohibit:

- Refusing to engage in a real estate transaction;
- Altering the terms, conditions or privileges of the transaction service;
- Refusing to receive or transmit a bona fide offer to engage in a transaction;
- Refusing to negotiate;
- Misrepresenting that property is not available for inspection, rental or sale when it is;
- Blockbusting, racial steering, and using restrictive covenants;
- Refusing to permit handicapped persons to reasonably modify existing properties;
- Failing to design multi-family dwellings to accommodate the handicapped;
- Offering, soliciting, accepting, using or retaining a listing knowing unlawful discrimination is intended;
- Failing to disclose property listings;
- Expressing orally or in writing an intent to directly or indirectly engage in unlawful discrimination;
- Discriminating against families with children under 18;

- Refusing to rent or sell or discriminating in terms, conditions or privileges or rental or sale to blind, hearing impaired or physically handicapped persons who use support animals; and
- Discriminating in mortgage or lending practices on the basis of unlawful discrimination.

## PUBLIC ACCOMMODATIONS

It is illegal for a public accommodations provider to refuse or deny the full and equal enjoyment of goods, facilities and accommodations based on an individual's race, creed, color, religion, sex, age or national origin.

This law applies to any business, accommodation, refreshment, entertainment, recreation or transportation facility, licensed or not, whose goods, services, facilities and privileges are extended, offered, sold or otherwise made available to the public.

Tennessee's public accommodations laws prohibit:

- Denying or refusing the full and equal enjoyment of an accommodation; and
- Publishing, circulating or displaying any material which would communicate that any person is unwelcome on the basis of unlawful discrimination.

## EMPLOYMENT

It is illegal for employers to discriminate based on race, color, religion, national origin, sex, disability\* or age (over 40).

The law applies to any Tennessee employer with eight or more employees.

Tennessee's employment laws prohibit:

- Prospective employers, employment agencies and labor organizations from refusing to hire, classify or accept applications or limiting employment or training opportunities;
- Any employer, employee, agent of an employer, employment agency or labor organization from engaging in sexually harassing practices;
- Any employer from depriving any individual of employment opportunities or training;
- Any employer from discharging any individual from employment; and
- Any employer from discriminating against an individual in regard to the terms, conditions, compensation or privileges of employment on the basis of unlawful discrimination.

If you feel you've been discriminated against, it's important to know your rights under the law. Please contact the THRC to obtain a complaint form and talk to a representative who can help you.

\*Tennessee Handicap Act (TCA 8-50-103): Prohibits discrimination solely on the basis of handicap. Individuals can file a complaint with THRC. Courts have assumed a private right of action for enforcement. The number of employees required is not defined (presumably one or more).



Tennessee Human Rights Commission,  
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